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REMARKS

The Examiner has indicated that the amendments submitted on September 25, 2003, have been entered. Applicants also appreciatively note that the Examiner has indicated Claims 20-23 are allowed.

Applicants further appreciate the Examiner's removal of his previous rejections. In the present Final Office Action, the Examiner has rejected Claims 17-19 and 29-39 under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the written description requirement. In particular, the Examiner argues that the Claims 17-18 add new matter in the recitation "in the presence of cytokines" and "exposing said dendritic cell to cytokines" (Final Office Action, page 2). The Examiner argues that the "disclosure does not support the generic recitations of 'cytokines' when all that has been shown (e.g. pg 26) is the use of the particular cytokines IL-4, GM-CSF, TNF-alpha and IL1-alpha, all in combination, without conveying that the reader was supposed to interpret what was exemplified as using generic cytokines." (Office Action, page 2). In addition, the Examiner argues that Claims 33 and 36 recite new matter in that they do not require the use of TNF- α and IL-1 α (i.e., in addition to GM-CSF and IL-4).

Applicants must respectfully disagree, as those of ordinary skill in the art would recognize that these specifically recited cytokines alone and/or in combination with other cytokines may find use in differentiating dendritic cells. Nonetheless, in order to further the prosecution of the present application and Applicants' business interests, yet without acquiescing to the Examiner's arguments, the Claims have been amended to recite the use of GM-CSF, IL-4, TNF- α , and IL1- α to differentiate dendritic cells. Thus, Applicants claims all recite the element of differentiating dendritic cells in the presence of all of these cytokines. Applicants reserve the right to pursue the originally filed and/or broader Claims in one or more subsequent applications. In view of the present amendments, Applicants respectfully submit that the Claims are allowable.

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CONCLUSION

As all of the Examiner's rejections and arguments have been herein addressed and in light of the above remarks, the Applicants respectfully submit that the pending claims are in condition for allowance. Thus, Applicants respectfully request that a Notice of Allowance be issued at an early date. If a telephone conference would expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (650) 846-5838.

Respectfully submitted,

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